

**Zoning Ordinance Approval  
CITY OF AUSTIN  
RECOMMENDATION FOR COUNCIL ACTION**

**AGENDA ITEM NO.: 105  
AGENDA DATE: Thu 07/29/2004  
PAGE: 1 of 1**

**SUBJECT:** C14-03-0125 - Wagner Tract - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 13801-14409 North IH-35 Service Road North Bound (Walnut Creek Watershed) from single family residence standard lot (SF-2) district zoning to general commercial services (CS-CO) combining district zoning. First reading on June 17, 2004. Vote: (7-0). Conditions met as follows: Conditional Overlay and Restrictive Covenant incorporates the conditions imposed or accepted by City Council at first ordinance reading. Applicant: Karl B. Wagner, Jr., Mary Ella Wagner Jones, and JP Morgan Chase Bank (Terry Anderson, Trust Officer). Agent: Doucet & Associates, Inc. (Carol M. Stewart). City Staff: Sherri Gager, 974-3057.

**REQUESTING** Neighborhood Planning      **DIRECTOR'S**  
**DEPARTMENT:** and Zoning                      **AUTHORIZATION:** Greg Guemsey

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## SECOND/THIRD READING SUMMARY SHEET

**ZONING CASE NUMBER:** C14-03-0125

**REQUEST:**

Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code, zoning the property locally known as 13801-14409 North IH-35 Service Road North Bound from SF-2, Single Family Residence-Standard Lot District, zoning to CS-CO, General Commercial Services-Conditional Overlay District, zoning.

Conditions met as follows:

- 1) Limit the site development to uses and intensities that will not exceed or vary from the projected traffic conditions assumed in the final TIA [Alliance Texas Engineering (Brian Craiq, P.E.) - December 2003].

- 2) Prohibit the following uses:

Art & Craft Studio (General)  
Building Maintenance Services  
Campground  
Commercial Blood Plasma Center  
Drop-off Recycling Collection Facility  
Equipment Repair Services  
Equipment Sales  
Kennels  
Laundry Service  
Pawn Shop Services  
Vehicle Storage  
Veterinary Services  
Maintenance and Service Facilities  
Adult-Oriented Businesses

- 3) Make the following uses Conditional:

Automotive Repair Services (Any proposed Automotive Repair Service use will be located a minimum of 400 feet from the common property lines with the cemeteries located to the north and south of the property in question.)

Convenience Storage  
Limited Warehousing and Distribution

**PROPERTY OWNER:** Karl B. Wagner, Jr.  
Mary Ella Wagner Jones  
JP Morgan Chase Bank (Terry Anderson, Trust Officer)

**AGENT:** Doucet & Associates, Inc. (Carol M. Stewart)

**DEPARTMENT COMMENTS:**

The applicants are requesting CS, General Commercial Services District, zoning for the property in question because they propose to develop the site with a retail shopping center and two restaurant uses. The applicants and the neighborhood association have agreed to the proposed CS-CO zoning (Attachment B).

The staff is recommending CS zoning for the site because the proposed zoning is compatible with the surrounding commercial uses and the property fronts onto an interstate highway.

The applicant agrees with the City Council's recommendation at first reading.

**DATE OF FIRST READING/VOTE:** June 17, 2004/ Granted CS-CO as recommended by staff, with additional conditions agreed to between the applicant and the neighborhood association (7-0); 1<sup>st</sup> reading.

**CITY COUNCIL DATE:** July 29, 2004

**CITY COUNCIL ACTION:**

**ASSIGNED STAFF:** Sherri Gager

**PHONE:** 974-3057  
sherri.gager@ci.austin.tx.us

**ZONING CHANGE REVIEW SHEET**

**CASE:** C14-03-0125

**Z.A.P. DATE:** May 18, 2004  
June 1, 2004

**ADDRESS:** 13801-14409 North IH-35 Service Road North Bound

**OWNER/APPLICANT:** Karl B. Wagner, Jr.  
Mary Ella Wagner Jones  
JP Morgan Chase Bank (Terry Anderson, Trust Officer)

**AGENT:** Doucet & Associates, Inc. (Carol M. Stewart)

**ZONING FROM:** SF-2                      **TO:** CS                      **AREA:** 73.465 acres

**SUMMARY STAFF RECOMMENDATION:**

The staff recommends CS, General Commercial Services District, zoning. The staff recommendation includes a public restrictive covenant that would limit the site development to uses and intensities that will not exceed or vary from the projected traffic conditions assumed in the final TIA [Alliance Texas Engineering (Brian Craig, P.E.) - December 2003]. The TIA recommendations are included as Attachment A to this report.

**ZONING AND PLATTING COMMISSION RECOMMENDATION:**

5/18/04: Postponed to 6/1/04 by Neighborhood (8-0); J. Martinez-1<sup>st</sup>, J. Gohil-2<sup>nd</sup>.

6/1/04: Approved GR-CO zoning with the following prohibited uses:

- Automotive Repair Services;
- Drop-Off Recycling Collection Facility;
- Pawn Shop Services;

(8-0, Pimmelli-absent); M. Whaley-1<sup>st</sup>, K. Jackson-2<sup>nd</sup>.

**ISSUES:**

The applicant met with the North Austin Growth Corridor Alliance on May 20, 2004, to present this zoning case for the neighborhood's review. As a result of this meeting, the applicant and the neighborhood agreed upon the conditions listed in Attachment B.

**DEPARTMENT COMMENTS:**

The applicants are requesting CS, General Commercial Services District, zoning for the property in question because they propose to develop the site with a retail shopping center and two restaurant uses. The staff is recommending CS zoning for the site because the proposed zoning is compatible with the surrounding commercial uses and the property fronts onto an interstate highway.

The applicant disagrees with the Zoning and Platting Commission's recommendation. The applicant agrees with the staff recommendation.

**EXISTING ZONING AND LAND USES:**

	ZONING	LAND USES
Site	SF-2	Undeveloped
North	CS-CO, SF-2, County	Funeral Home, Cemetery, Undeveloped
South	SF-2	Cemetery
East	I-RR	Undeveloped
West	GR, GO, GR	Bank, Retail, Office

**AREA STUDY:** N/A

**TIA:** Yes

**WATERSHED:** Walnut Creek

**DESIRED DEVELOPMENT ZONE:** Yes

**CAPITOL VIEW CORRIDOR:** N/A

**HILL COUNTRY ROADWAY:** N/A

**NEIGHBORHOOD ORGANIZATIONS:**

114 – North Growth Corridor Alliance

**CASE HISTORIES:**

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-02-0111	TR1: GR-CO to GR  TR2: CS-CO to CS	10/15/02: Approved staff's rec. of GR-CO; CS-CO zoning with added condition to prohibit Automotive Sales; by consent (7-0, D. Castaneda-absent)	12/5/02: Granted GR-CO for Tract 1 and CS-CO for Tract 2 on all 3 readings (7-0)
C14-98-0212	I-RR to CS	12/15/98: Approved GR-CO w/conditions for front to match existing GR and CS-CO for remainder of property, prohibit auto repair and auto washing except for on-site tenants (5-2, GW/DS-Nay)	1/14/99: Approved PC rec. of GR-CO w/ conditions 97-0); 1 <sup>st</sup> reading  4/15/99: Approved CS-CO w/ conditions (7-0); 2 <sup>nd</sup> /3 <sup>rd</sup> readings
C14-98-0076	I-RR to LI	7/14/98: Approved W/LO-CO w/conditions (7-1, SA-Nay)	10/8/98: Approved CS-CO w/many conditions (6-0); 1 <sup>st</sup> reading  4/1/99: Approved CS-CO w/ conditions (7-0); 2 <sup>nd</sup> /3 <sup>rd</sup> readings
C14-98-0069	I-RR to CS	7/14/98: Approved GR (8-1, RR-Nay)	8/13/98: Approved CS-CO (6-0); 1 <sup>st</sup> reading  10/1/98: Approved CS-CO w/ conditions (7-0); 2 <sup>nd</sup> /3 <sup>rd</sup> readings
C14-96-0131	SF-2 to GR	12/10/96: Approved staff rec. of GR (9-0)	1/9/97: Approved GR-CO w/ conditions (7-0); 1 <sup>st</sup> reading 3/20/97: Approved GR-CO w/ conditions (7-0); 2 <sup>nd</sup> /3 <sup>rd</sup> readings

C14-95-0195	GR to CS	1/23/96: Approved CS-CO (7-0)	7/18/96: Approved CS-CO subject to conditions (6-0); all 3 readings
C14-93-0055	SF-2 to GR	5/18/93: Approved GR by consent (9-0)	6/3/93: Approved GR (5-0-1); all 3 readings
C14-93-0047	SF-2 to CS	4/27/93: Approved GR-CO (6-0)	5/6/93: Approved GR-CO and CS-CO w/conditions (6-0); 1 <sup>st</sup> reading 6/17/93: Approved GR-CO and CS-CO (7-0); 2 <sup>nd</sup> /3 <sup>rd</sup> readings
C14-93-0005	SF-2 to LO	2/16/93: Approved LO (6-0)	3/4/93: Approved LO (6-0); 1 <sup>st</sup> reading  5/27/93: Approved LO; 2 <sup>nd</sup> /3 <sup>rd</sup> readings

**RELATED CASES:** There are no pending related cases.

**ABUTTING STREETS:** Information provided in TIA Recommendations - Attachment A.

**CITY COUNCIL DATE:** June 17, 2004

**ACTION:** Granted CS-CO as recommended by staff, with additional conditions agreed to between the applicant and the neighborhood association (7-0); 1<sup>st</sup> reading

July 29, 2004

**ACTION:**

**ORDINANCE READINGS:** 1st

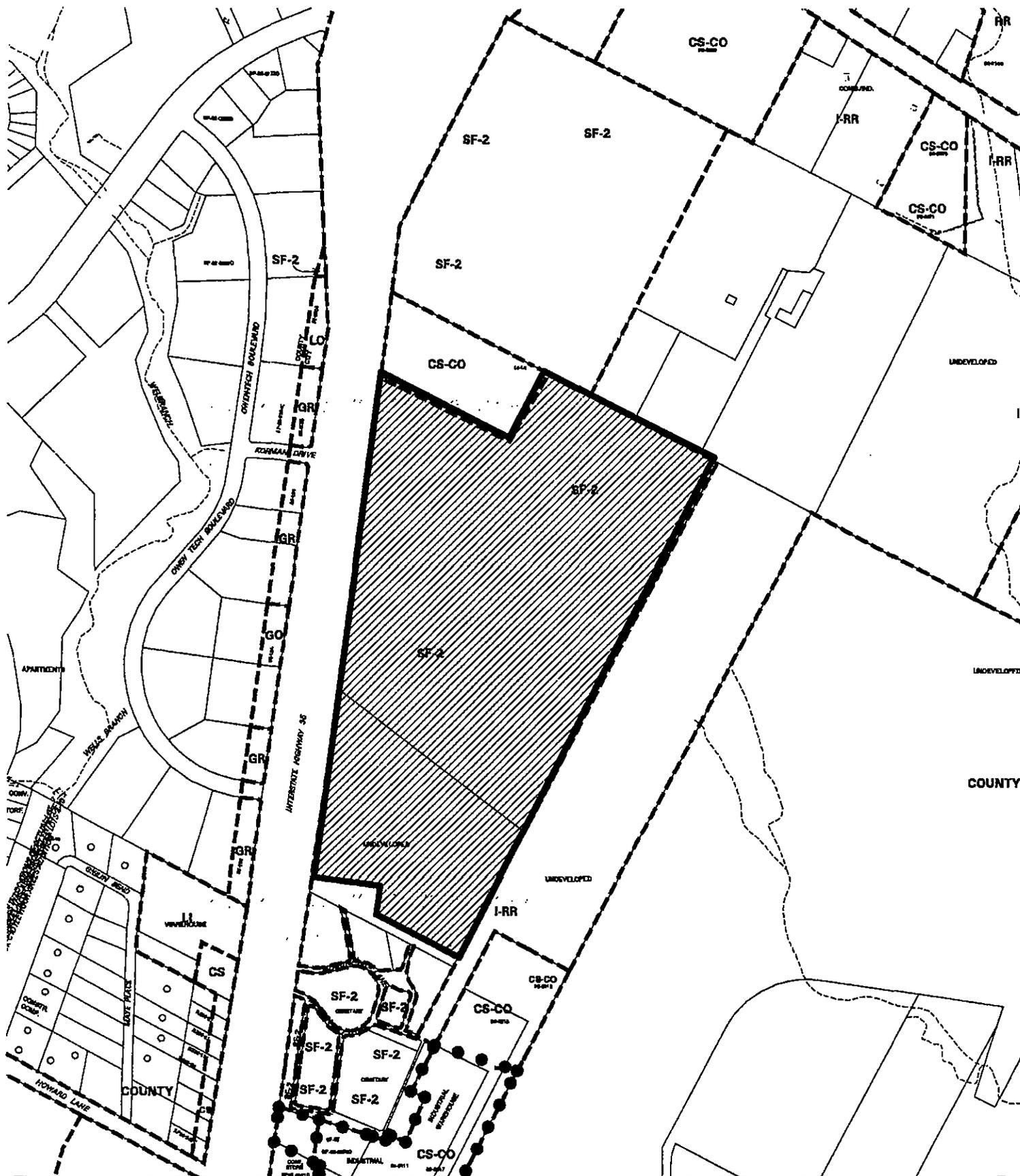
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3<sup>rd</sup>

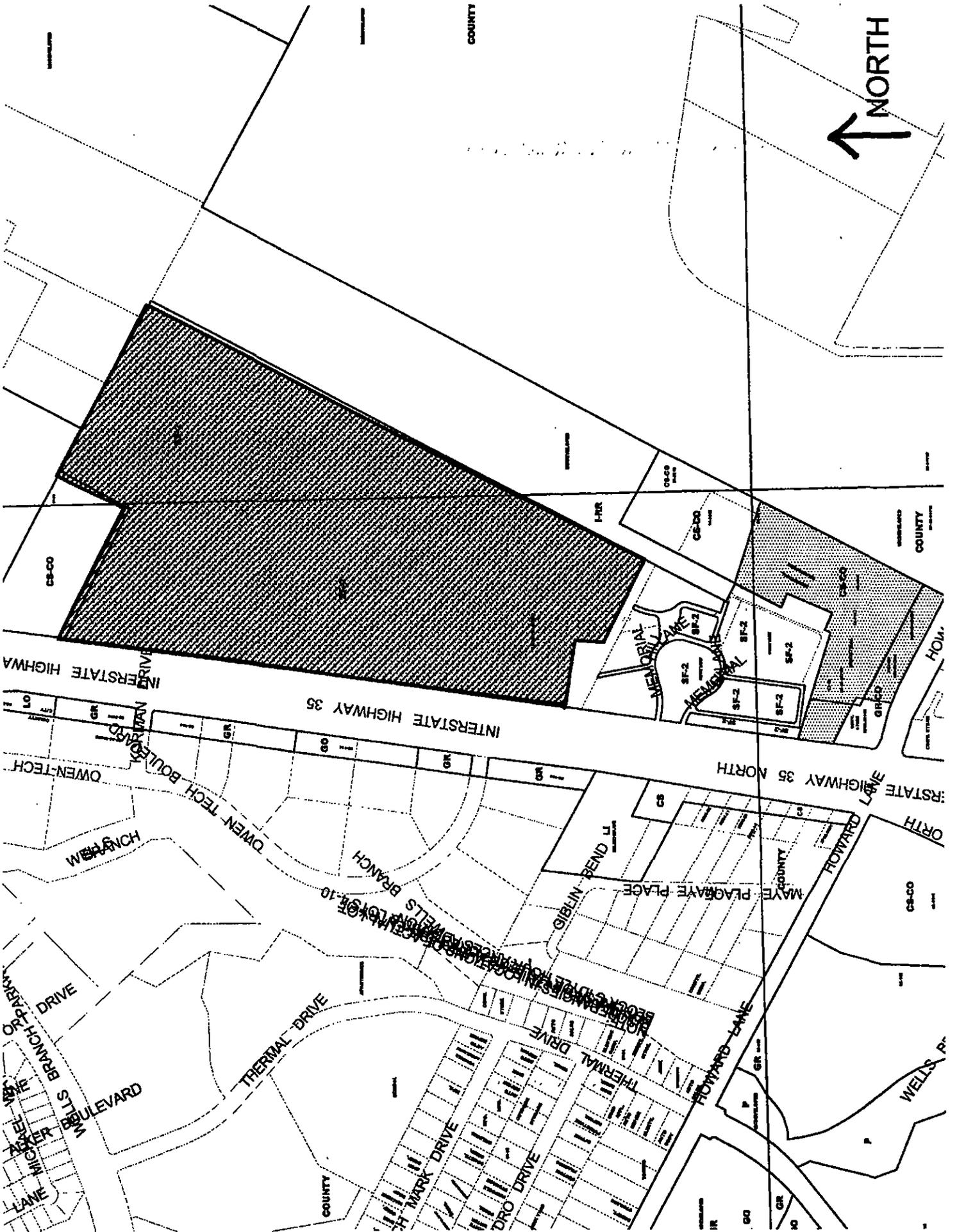
**ORDINANCE NUMBER:**

**CASE MANAGER:** Sherri Gager

**PHONE:** 974-3057,  
[sherri.gager@ci.austin.tx.us](mailto:sherri.gager@ci.austin.tx.us)



 1" = 600'	<b>SUBJECT TRACT</b> 	<b>ZONING</b>  <b>CASE #: C14-03-0125</b> <b>ADDRESS: N1 35 SVC RD NB</b> <b>SUBJECT AREA (acres): 73.465</b>	<b>DATE: 03-08</b>  <b>INTLS: SM</b>	<b>CITY GRID REFERENCE NUMBER</b> <b>M36 N36</b>
	<b>PENDING CASE</b> 			
	<b>ZONING BOUNDARY</b> 			
	<b>CASE MGR: S. GAGER</b>			



COUNTY

COUNTY

COUNTY

COUNTY

COUNTY

INTERSTATE HIGHWAY 35

INTERSTATE HIGHWAY 35

INTERSTATE HIGHWAY 35 NORTH

ORTH

HONGKONG

OWEN-TECH BOULEVARD

THERMAL DRIVE

GIBLIN BEND

MAYE PLAGAYE PLACE

HOWARD LANE

WELLS PT

WELLS BRANCH DRIVE  
MICKEL DRIVE  
ASKER BOULEVARD

MARK DRIVE  
DRO DRIVE

THERMAL DRIVE

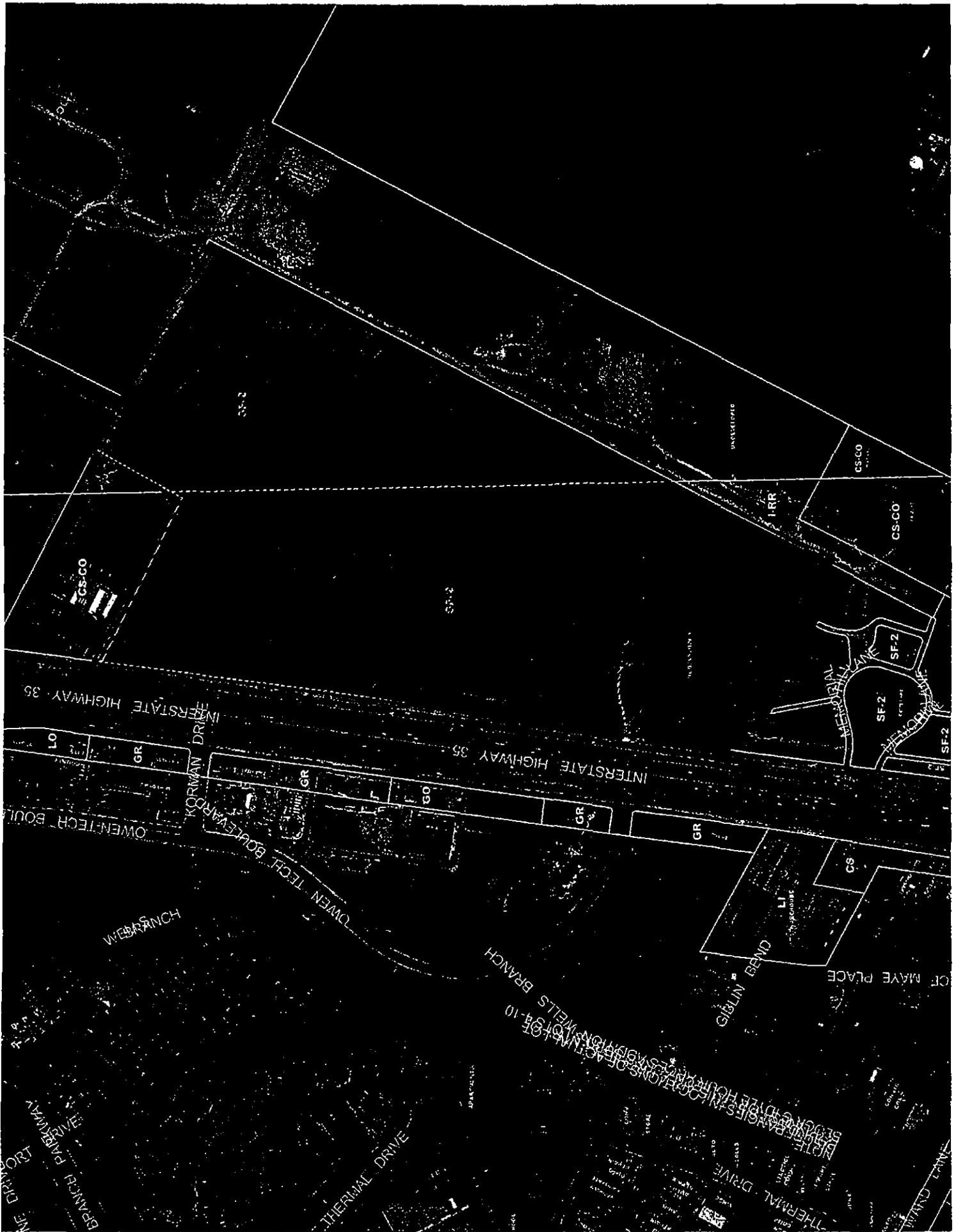
HOWARD LANE

MEMORIAL LANE

MEMORIAL LANE

HOWARD LANE

OWEN-TECH



## **STAFF RECOMMENDATION**

The staff recommends CS, General Commercial Services District, zoning. The staff recommendation includes a public restrictive covenant that would limit the site development to uses and intensities that will not exceed or vary from the projected traffic conditions assumed in the final TIA [Alliance Texas Engineering (Brian Craiq, P.E.) - December 2003]. The TIA recommendations are included as Attachment A to this report.

## **BACKGROUND**

The applicants are requesting CS, General Commercial Services District, zoning for the property in question because they propose to develop the site with a retail shopping center and two restaurant uses. The staff is recommending the applicant's request for CS zoning for the site because the proposed zoning is compatible with the surrounding commercial uses and the property fronts onto an interstate highway.

The applicant agrees with the staff recommendation.

## **BASIS FOR RECOMMENDATION**

- 1. The proposed zoning should be consistent with the purpose statement of the district sought.*

The General Commercial Services (CS) zoning district is intended for commercial or industrial use of a service nature that has operating characteristics or traffic service requirements that are incompatible with residential environments.

- 2. The proposed zoning should promote consistency, and orderly planning.*

The CS-CO zoning district would be compatible and consistent with the surrounding uses because there is CS-CO zoning to the north and southeast of this site and GR zoning to the west, across IH-35.

- 3. The proposed zoning should allow for a reasonable use of the property.*

The CS-CO zoning district would allow for a fair and reasonable use of the site. The site exceeds the minimum size requirements for commercial development in the General Commercial Services district.

CS-CO zoning is appropriate for this location because of the commercial character of the area along Interstate Highway-35.

- 4. Zoning should promote the policy of locating retail and more intensive zoning near the intersections of arterial roadways or at the intersections of arterials and major collectors.*

The property fronts onto the north bound service road of Interstate Highway-35 and is located between two arterial roadways, Howard Lane (south) and Well Branch Parkway (north).

## **EXISTING CONDITIONS**

### **Site Characteristics**

The property in question is a large undeveloped tract of land that front onto the IH-35 North Bound Service Road. The site is relatively flat and sparsely vegetated.

### **Impervious Cover**

The maximum impervious cover allowed by the CS zoning district would be 95%. However, because the Watershed impervious cover is more restrictive than the zoning district's allowable impervious cover, the impervious cover on this site would be limited by the watershed ordinance. Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Net Site Area</i>	<i>% with Transfers</i>
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

In the Water Quality Transition Zones, impervious cover is limited to 30%.

Note: The most restrictive impervious cover limit applies.

### **Environmental**

The site is not located over the Edward's Aquifer Recharge Zone. The site is in the Desired Development Zone. The site is in the Walnut Creek and Harris Branch Watersheds of the Colorado River Basin, which are classified as a Suburban Watersheds by Chapter 25-8 of the City's Land Development Code.

According to flood plain maps, there is not floodplain within, or adjacent to the project boundary.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

At this time, site-specific information is unavailable regarding existing trees and other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Under current watershed regulations, development or redevelopment on this site will be subject to the following water quality control requirements:

Structural controls: Sedimentation and filtration basins with increased capture volume and 2 year detention.

At this time, no information has been provided as to whether this property has any pre-existing approvals that preempt current water quality or Code requirements.

### **Transportation**

A traffic impact analysis is required and has been received. Additional right-of-way, participation in roadway improvements, or limitations on development intensity may be recommended based on review of the TIA. [LDC, Sec. 25-6-142]. Comments will be provided in a separate memo (Attachment A).

### **Right of Way**

The scope of this review is limited to the identification of needs for dedication and/or reservation of right-of-way for funded Capital Improvement Program (C.I.P.) Roadway Construction Projects and Transportation Systems Management (T.S.M.) Projects planned for implementation by the City of Austin. No aspect of the proposed project is being considered or approved with this review other than the need for right-of-way for City projects. There are separate right-of-way dedication and reservation requirements enforced by other Departments and other jurisdictions to secure right-of-way for roadway improvements contained in the Austin Metropolitan Area Roadway Plan, roadway projects funded by County and State agencies, and for dedication in accordance with the functional classification of the roadway.

We have reviewed the proposed subdivision, site plan, or zoning case and anticipate no additional requirement for right-of-way dedication or reservation for funded C.I.P. or T.S.M. projects at this location.

### **Water and Wastewater**

The landowner intends to serve the site with City water and wastewater utilities. Water and wastewater utility improvements, offsite main extension and system upgrades are required. The landowner will be responsible for all costs and providing.

The water and wastewater utility plan must be reviewed and approved by the City of Austin Water and Wastewater utility. The plan must be in accordance with the City's utility design criteria.

### **Stormwater Detention**

At the time a final subdivision plat, subdivision construction plans, or site plan is submitted, the developer must demonstrate that the proposed development will not result in additional identifiable flooding of other property. Any increase in storm water runoff will be mitigated through on-site storm water detention ponds, or participation in the City of Austin Regional Stormwater Management Program, if available.

### **Compatibility Standards**

This site is **not** subject to compatibility development regulations.

7. C14-03-0125 – KARL B. WAGNER, JR., MARY ELLA WAGNER JONES, JP MORGAN CHASE BANK (Terry Anderson, Trust Officer), By: Doucet & Associates, Inc. (Carol M. Stewart), 13801-14409 North I-35 Svc. Rd. NB. (Walnut Creek). **FROM SF-2 TO CS. RECOMMENDED WITH CONDITIONS.** City Staff: Sherri Gager, 974-3057. **POSTPONED FROM 5-18 (NEIGHBORHOOD).**

***DENIED STAFF'S RECOMMENDATION FOR CS ZONING.  
APPROVED GR-CO ZONING WITH PROHIBITED USES.***

**PROHIBITED USES:**

***ART & CRAFT STUDIO (GENERAL);  
AUTOMOTIVE REPAIR SERVICES;  
BUILDING MAINTENANCE SERVICES;  
CAMPGROUND;  
COMMERCIAL BLOOD PLASMA CENTER;  
DROP-OFF RECYCLING COLLECTION FACILITY;  
EQUIPMENT REPAIR SERVICES;  
EQUIPMENT SALES;  
KENNELS;  
LAUNDRY SERVICE;  
PAWN SHOP SERVICES;  
VEHICLE STORAGE;  
VETERINARY SERVICES;  
MAINTENANCE AND SERVICE FACILITIES;  
ADULT-ORIENTED BUSINESSES;***

***[M.W; K.J 2<sup>ND</sup>] (8-0) J.P – ABSENT***

**NEW CASES**

8. C14-04-0067 – P.W.C., By: Ed Padgett, Marty Williams and Mark Clemens, Jim Bennett Consulting (Jim Bennett), 5607, 5611 and 5701 Travis Cook Road. (Williamson Creek / Barton Creek – In Barton Springs Zone). **FROM RR TO SF-3. RECOMMENDED.** City Staff: Wendy Walsh, 974-7719.

***APPROVED STAFF'S RECOMMENDATION FOR SF-3 ZONING; BY  
CONSENT.***

***[J.M; J.G 2<sup>ND</sup>] (8-0) J.P – ABSENT***

9. C814-04-0024 – BRODIE 31 C/O WALTERS SOUTHWEST, By: 31 Deerfield, Ltd. c/o William S. Walters, III (William S. Walters), Land Strategies, Inc. (Paul W. Linehan), 9000-9600 Block of Brodie Lane. (Williamson Creek – In Barton Springs Zone). **FROM DR TO PUD. RECOMMENDED WITH CONDITIONS.** City Staff: Wendy Walsh, 974-7719.

***APPROVED STAFF'S RECOMMENDATION FOR PUD ZONING;  
INCLUDING THE CONDITIONAL OVERLAY OF THE T.I.A.***



Attachment A

**Date:** May 11, 2004  
**To:** Sherri Gager, Case Manager  
**CC:** Members of the Zoning and Platting Commission  
 Brian Craig, P.E. Alliance Texas Engineering Co.  
 Carol Stewart, Doucett and Associates  
 Carol Kaml, COA Fiscal Officer  
**Reference:** Wagner Tract TIA, C14-03-0157

The Transportation Review Section has reviewed the Traffic Impact Analysis for the Wagner Tract, dated December 2003, prepared by Brian Craig, P.E., Alliance Texas Engineering, and offers the following comments:

**TRIP GENERATION**

Wagner Tract is 73.465-acre development located in north Austin on IH-35 between Howard Lane and Wells Branch Parkway.

The property is currently undeveloped and zoned Single Family Residence (SF-2). The applicant has requested a zoning change to Commercial Services (CS). The estimated completion of the project is expected in the year 2004.

Based on the standard trip generation rates established by the Institute of Transportation Engineers (ITE), the development will generate approximately 29,546 unadjusted average daily trips (ADT).

The table below shows the adjusted trip generation by land use for the proposed development:

LAND USE	Size	ADT	AM Peak		PM Peak	
			Enter	Exit	Enter	Exit
Shopping Center	448,500sf	16,586	238	152	444	479
High Turnover Restaurant	19,000sf	2,277	92	85	55	43
Fast Food Restaurant w/ Drive Through	18,500sf	7,589	240	231	51	123
<b>Total</b>		<b>26,449</b>	<b>570</b>	<b>468</b>	<b>550</b>	<b>645</b>

**ASSUMPTIONS**

1. Traffic growth rates provided by the City of Austin were as follows:

Roadway Segment	%
All Roads	4.3 %

2. In addition to these growth rates, background traffic volumes for 2003 included estimated traffic volumes for the following projects:

Shops at Howard Lane	C14-02-0011
Village at Northtown	C8-02-0144
Three Points Retail Center	SP-00-2477C
Wendy's Restaurant	SP-00-2600C

Cheddar's Commercial Development	SP-00-2477C
Long John Silvers/A&W Restaurant	SP-02-0222D
Parmer Center South	SP-02-0246C
Howard Lane Retail Center	SP-02-0278C
Wells Branch Jiffy Lube	SP-02-0378C

3. Reductions were taken for pass-by:

Land Use	Pass-By Reductions %	
	AM	PM
Shopping Center	0%	34%
High Turnover Restaurant	0%	43%
Fast Food Restaurant w/ Drive Through	49%	50%

4. A 10% reduction was taken for internal capture.

5. No reductions were taken for transit use.

**EXISTING AND PLANNED ROADWAYS**

NAME	ROW	PAVEMENT	CLASSIFICATION	Capital Metro Route	BICYCLE PLAN
IH-35	300'	Varies	Arterial	Route #75	N/A
FM 1825	120'	Varies	Arterial	Route #75	N/A
Howard Lane	120'	Varies	Arterial	N/A	Route #1234
Wells Branch Parkway	120'	Varies	Arterial	N/A	N/A

**INTERSECTION LEVEL OF SERVICE (LOS)**

The TIA analyzed 8 intersections, 5 of which are signalized. Existing and projected levels of service are as follows, assuming that all improvements recommended in the TIA are built:

Intersection	2003		2004	
	AM	PM	AM	PM
IH-35 SB FR @ Wells Branch Parkway*	F	D	D	E
IH 35 NB FR @ Wells Branch Parkway*	D	F	E	E
FM 1825 @ Wells Branch Parkway*	F	F	F	F
IH-35 SB FR @ Howard Lane*	F	D	C	E
IH-35 NB FR @ Howard Lane*	F	E	D	D
IH-35 SB FR @ Driveway One			A	A
IH-35 SB FR @ Driveway Two			A	A
IH-35 SB FR @ Driveway Three**			A	A

\* = SIGNALIZED \*\*=SEE RECOMENDATIONS

**RECOMMENDATIONS**

1) Prior to 3<sup>rd</sup> reading at City Council, fiscal is required to be posted for the following improvements:

Intersection	Improvements	Total Cost	Pro Rata Share %	Pro Rata Share \$
Howard Lane @ IH-35	Signal Modifications	\$25,944	6.9%	\$1,790
Howard Lane @ IH-35 NB	Lane Addition	\$93,641	6.9%	\$6,461
Howard Lane @ IH-35 SB	Lane Addition	\$54,934	6.9%	\$3,790
Howard Lane @ IH-35 WB	Lane Addition	\$54,934	6.9%	\$3,790
<b>Total</b>		<b>\$229,453</b>		<b>\$15,831</b>

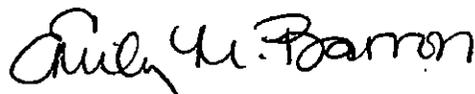
2) Prior to approval of the site development permit, fiscal is required to be posted for the following improvements:

Intersection	Improvements	Total Cost	Pro Rata Share %	Pro Rata Share \$
Wells Branch Parkway @ IH-35 Frontage Roads	SB ~ Add 1 Lane	\$29,509	6%	\$1,771
	WB ~ Add 1 Lane	\$253,169	6%	\$15,190
	Signal Modification	\$25,944	6%	\$1,557
Wells Branch Parkway @ FM 1825	Signal Retiming	\$2,500	4.1%	\$103
IH-35 Frontage Road	Auxiliary Lane	\$199,281	100%	\$199,281
<b>Total</b>		<b>\$510,403</b>		<b>\$217,902*</b>

\*A NEW COST ESTIMATE IS REQUIRED TO BE PROVIDED AT THE TIME OF SITE PLAN TO ENSURE THAT THE COST ESTIMATE IS ACCURATE AT THE TIME OF FISCAL POSTING

- 3) A 15-foot drainage easement is required to be dedicated prior 3<sup>rd</sup> Reading of the zoning case. This easement will accommodate a storm drainage system being installed by TXDOT as part of roadway improvements associated with upgrades to IH-35 and future improvements associated with this application. At the time of the site plan for this property, the 15' drainage easement will be required to be dedicated as right-of-way in order to allow for installation and maintenance of the auxiliary lane along the property frontage. Any public utilities should be placed in a public utility easement outside of the 15-foot drainage easement/future right-of-way. Final design of the auxiliary lane will require TXDOT approval.
- 4) Three driveways are permitted to access the IH-35 frontage roads with the following conditions. All three driveways must be placed outside the control of access points along the frontage roads as set by TXDOT plans for ramp relocation. The northern most driveway, as proposed, is permitted as a right-in only driveway until the ramps along IH-35 have been relocated and the driveway then may be permitted to provide for right-in/right-out maneuvers. Final driveway location and geometries require approval from TXDOT prior to approval of the site development permit.
- 5) For information: Three copies of the final version of the TIA incorporating all corrections and additions must be submitted prior to final reading of the zoning case.
- 6) Development of this property should be limited to uses and intensities which will not exceed or vary from the projected traffic conditions assumed in the TIA, including peak hour trip generations, traffic distribution, roadway conditions, and other traffic related characteristics.

If you have any questions or require additional information, please contact me at 974-2788.



Emily M. Barron  
 Transportation Review Staff  
 Watershed Protection and Development Review

**Gager, Sherri**

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**From:** Carol Stewart [Carol.Stewart@doucet-austin.com]  
**Sent:** Friday, May 28, 2004 11:40 AM  
**To:** Janis Pinnelli (E-mail); Melissa Whaley (E-mail); Betty Baker (E-mail); Keith Jackson (E-mail); Joseph Martinez (E-mail); Clarke Hammond (E-mail); Jay Gohil (E-mail); John Donisi (E-mail)  
**Cc:** Janet Klotz (E-mail); Gager, Sherri; Terry Anderson (E-mail)  
**Subject:** ZAPCO 06/01 Agenda Item C14-03-0125

Dear Commissioners -

I wanted to let you know that I met with the North Growth Corridor Alliance on 05/20 and they are in support of the proposed zoning change from SF-2 to CS-CO with the following conditions:

Prohibited uses:  
Art & Craft Studio (General)  
Building Maintenance Services  
Campground  
Commercial Blood Plasma Center  
Drop-off Recycling Collection Facility  
Equipment Repair Services  
Equipment Sales  
Kennels  
Laundry Service  
Pawn Shop Services  
Vehicle Storage  
Veterinary Services  
Maintenance and Service Facilities  
Adult-Oriented Businesses

Conditional Uses:  
Automotive Repair Services  
Convenience Storage  
Limited Warehousing and Distribution

Additional Restrictions:  
Any proposed Automotive Repair Service use will be located a minimum of 400 feet from the common property lines with the cemeteries located to the north and south of this 73.465 acre tract.

I hope this resolves any issues you might have with the zoning change request and will allow you to recommend the change on the consent agenda. If you have any questions please do not hesitate to contact me.

Thanks,  
Carol

Carol M. Koenig Stewart  
Doucet & Associates, Inc.  
7401 B Hwy 71 W., Suite 160  
Austin, TX 78735  
512-583-2600 Phone  
512-583-2601 Fax  
www.doucetandassociates.com  
carol.stewart@doucet-austin.com

**Gager, Sherri**

**Subject: FW: Zoning Case No. C14-03-0125**

-----Original Message-----

**From:** Harvey Klotz [mailto:hjklotz@hotrodgames.com]

**Sent:** Wednesday, June 16, 2004 1:49 PM

**To:** Wynn, Will; Goodman, Jackie; Slusher, Daryl; Alvarez, Raul; Thomas, Danny; Dunkerley, Betty; McCracken, Brewster

**Cc:** Gager, Sherri; carol.stewart@doucet-austin.com

**Subject:** Zoning Case No. C14-03-0125

Dear Mayor and Council Members,

After a meeting with Ms. Carol Stewart on May 20th, 2004, the North Growth Corridor Alliance voted to approve CS-CO for the 73.465 acres located at 13801-14409 North I-35 Svc. Rd. NB. Even though the Alliance members had reservations about rezoning this large tract to CS, they voted approval because it is in a commercial and industrial area, is located on I-35, and the CS uses that concerned them would not be permitted.

Regarding the GR zoning recommended by ZAP for the site, there are two questions. Is the site too large to be retail only, and if the entire site is zoned GR, how much flexibility will there be for mixed uses?

The following uses are to be prohibited:

- Adult-Oriented Businesses
- Art & Craft Studio (General)
- Building Maintenance Services
- Campground
- Commercial Blood Plasma Center
- Drop-off Recycling Collection Facility
- Equipment Repair Services
- Equipment Sales
- Kennels
- Laundry Service
- Pawn Shop Services
- Vehicle Storage
- Veterinary Services
- Maintenance & Service Facilities

The following uses are to be conditional:

- Automotive Repair Services (400' separation from cemeteries)
- Convenience Storage
- Limited Warehousing & Distribution

If there are any questions, please feel free to call me at 837-5600.

Janet Klotz  
President  
North Growth Corridor Alliance

6/30/2004



City of Austin, Neighborhood Planning & Zoning Department  
 505 Barton Springs Road / P.O. Box 1088 / Austin, Texas 78767-8835

**NOTICE OF ZONING & PLATTING COMMISSION PUBLIC HEARING FOR A PROPOSED ZONING CHANGE**

Este aviso es para informarles de una junta pública tocante a un cambio en el uso de la propiedad indicada así abajo. Si quiere una copia de este aviso en español, hable al teléfono (512) 974-2680.

Mailing Date of this Notice: May 7, 2004  
 Mailing Date of First Notice: August 12, 2003

File Number: C14-03-0125

ADDRESS OF PROPOSED ZONING CHANGE: (See map) 13801-14409 North I-35 Svc Rd. NB

**PROPOSED ZONING CHANGE:**

**FROM:** SF-2--Single-Family Residence (Standard Lot) district is intended as an area for moderate density single-family residential use, with a minimum lot size of 5,750 square feet. This district is appropriate for existing single-family neighborhoods having moderate sized lot patterns, as well as for development of additional single-family housing areas with minimum land requirements.

**TO:** CS--General Commercial Services district is intended predominately for commercial and industrial activities of a service nature having operating characteristics or traffic service requirements generally incompatible with residential environments.

**OWNER:** Karl B. Wagner, Jr.  
 Mary Ella Wagner Jones  
 JP Morgan Chase Bank (Terry Anderson, Trust Officer)

PHONE: (804) 282-2010  
 PHONE: (843) 671-7380  
 PHONE: (214) 965-2843

**AGENT:** Doucet & Associates, Inc. (Carol M. Stewart)

PHONE: (512) 583-2600

**ZONING & PLATTING COMMISSION HEARING DATE:** May 18, 2004      **TIME:** 6:00 PM

**LOCATION:** 505 Barton Springs Road, One Texas Center 3<sup>rd</sup> Floor, Training Room #325, Austin

If you have any questions concerning this notice, please contact Sherri Gager at the City of Austin, Neighborhood Planning & Zoning Department, (512) 974-3057. Office hours are 7:45 a.m. to 4:45 p.m. Please be sure to refer to the File Number at the top of the page when you call. See enclosed sheet for more information on public hearings.

.....  
 You may send your written comments to the Zoning & Platting Commission Assistant, Neighborhood Planning & Zoning Department, P. O. Box 1088, Austin, TX 78767-8835.

File # C14-03-0125 SG      Zoning & Platting Commission Hearing Date: May 18, 2004

Name (please print) James + Marion Grant owners  
 Address 14465 Owen Tech Blvd  
Austin, TX 78728

I am in favor  
 (Estoy de acuerdo)  
 I object  
 (No estoy de acuerdo)